

TERMS OF SUBSCRIPTION
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VOL. 32.

WILMINGTON, N. C., FRIDAY, JULY 14, 1876.

NO. 28

THE CASE OF CONTEMPT.

The case of the State vs. James Heaton was brought to a conclusion yesterday.

The answer of the respondent to the two rules was filed and read to the court yesterday morning at 11 o'clock. The answer stated that the missing bill of indictment was issued, and that its non-production was not for the purpose of concealing a record of the court, nor in any manner to treat the court with contempt. As to the tearing up of the copy of the rule and leaving the country, the answer denied all intention of committing a contempt of court.

The counsel for the State asked leave to introduce testimony for the purpose of rebutting this answer. Argument by the counsel for the State and for the Respondent, as to the admissibility of this testimony, consumed the morning session. The court ruled that the testimony was admissible, and adjourned to 3 o'clock P. M. Today the Hon. Judge P. M. McKoy presided. The case was resumed. Mr. Davis, who, together with Messrs. Strang and Russell, had on Wednesday been requested by the court to assist in the production, addressed the court at some length in explanation of the position in the case which he and his associates occupied. They were not there as officers of the law, nor were they specially employed counsel, but they appeared in the case at the request of his Honor as amici curiae, and acting in that capacity they felt it incumbent upon them to state the facts which they considered to be material to the case, and to do so in a proper and proper manner.

As to the rule for contempt in the non-production of the bill of indictment against the Respondent for extortion, he and his associates agreed that the answer of the Respondent sufficiently purged him of the contempt, as the answer stood uncontested.

But as to the rule for contempt in the destruction of the original rule and the tearing up of the copy of the rule, the court ruled that the answer of the Respondent was insufficient to purge him of the contempt.

The court ruled that the Respondent was guilty of contempt, and ordered him to pay the costs of the proceedings.

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SUPERIOR COURT.

The Superior Court for New Hanover adjourned yesterday morning.

His Honor went upon the Bench at an early hour (5 o'clock) for the purpose of closing up the business of the Term and adjourning Court so as to take the morning Northern bound train at 6:30 o'clock.

In the case of State vs. Preston Flowers, for larceny, in which there was a rule for a new trial pending, the Court gave judgment that upon the payment of costs and defendant entering into bond in the sum of \$300 to be of good behavior and make his appearance at the next term of the Court, the rule would then be heard.

State vs. Ellen Shepard, larceny; judgment in the case having been heretofore suspended, it was ordered that defendant be imprisoned for twelve months in the Work House or give bond in the sum of \$200 for appearance at next term, and pay jail fees.

Two cases against James Heaton, Clerk of the Court, were removed to Pender county on the affidavit of the Solicitor to the effect that the State could not get justice in this New Hanover.

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OFFICIAL REPORT OF THE GRAND JURY.

At the conclusion of the late term of the Superior Court of New Hanover the grand jury made the following report:

RESPECTFULLY.

SUPERIOR COURT.

June Term, 1876.

To the Hon. Judge A. A. McKoy, presiding.

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ANNUAL COMMENCEMENT OF THE JOCKEY POINT ACADEMY.

The closing exercises of the session of this well established and popular institution took place in the hall of the academy on the 5th and 6th of July.

The examination was conducted in public Wednesday, by a committee consisting of Thomas J. Armstrong, Jr., and Dr. W. T. Ennett, aided by others at the solicitation of the devoted faculty.

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